

FILED

JAN 23 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JONATHAN LEE RICHES,) Nos. C 08-0061 MJJ (PR) C 08-0140 MJJ (PR)
Plaintiff,) C 08-0062 MJJ (PR) C 08-0141 MJJ (PR)
v.) C 08-0063 MJJ (PR) C 08-0142 MJJ (PR)
EARVIN MAGIC JOHNSON, et) C 08-0064 MJJ (PR) C 08-0143 MJJ (PR)
al.,) C 08-0065 MJJ (PR) C 08-0144 MJJ (PR)
Defendants.) C 08-0066 MJJ (PR) C 08-0145 MJJ (PR)
C 08-0067 MJJ (PR)

ORDER DISMISSING CASES

Plaintiff, a federal prisoner proceeding pro se, filed the 13 civil actions listed above against a variety of defendants. A federal court must conduct a preliminary screening in any case in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity. See 28 U.S.C. § 1915A(a). In its review, the court must identify any cognizable claims and dismiss any claims that are frivolous, malicious, fail to state a claim upon which relief may be granted or seek monetary relief from a defendant who is immune from such relief. See id. § 1915A(b)(1),(2). Pro se pleadings must, however, be liberally construed. See *Balistreri v. Pacifica Police Dep't*, 901 F.2d 696, 699 (9th Cir. 1988).

In an order filed January 2, 2008, the Court dismissed 22 prior cases filed by plaintiff because they were frivolous. The Court further noted:

Within the past two months, plaintiff has sent to this court approximately 160 different civil complaints setting forth similarly improbable, if not impossible,

1 allegations and frivolous claims against a litany of defendants.^[1] Plaintiff has
2 also filed frivolous cases in other federal district courts, prompting one United
3 States District Judge to make the following finding about plaintiff's filings:

4 It is not clear whether these outlandish pleadings are
5 products of actual mental illness or simply a hobby akin to short
6 story writing. Whatever their origin, and though they are
7 amusing to the average reader, they do nothing more than clog
8 the machinery of justice, interfering with the court's ability to
9 address the needs of the genuinely aggrieved. It is time for them
10 to stop.

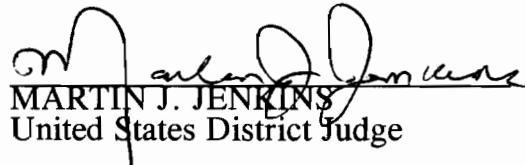
11 Consequently, the Court restricted plaintiff from filing any civil complaints in this Court
12 without payment of the full statutory filing fee.

13 The complaints in the above-listed cases must be dismissed because they set forth
14 claims and allegations that are clearly irrational, baseless or frivolous, including, *inter alia*,
15 claims that certain authors wrote books that fail "to talk about [plaintiff's] civil rights," that
16 the professional football player Ben Roethlisberger is a "board member of the Federal
17 sentencing commission;" that various Hollywood actors have "made" plaintiff commit
18 crimes, are conspiring to keep him in solitary confinement, have "told" the Chief Justice of
19 the United States Supreme Court to deny his appeal, and will not allow plaintiff to watch
20 movies; that managers of professional baseball teams are "managing [plaintiff's] torture;"
21 that Dennis Quattrone is "laughing" at him. See 28 U.S.C. § 1915A(a); 1915(e)(2); see
22 Denton v. Hernandez, 504 U.S. 25, 32 (1992). In addition, plaintiff's claims are brought
23 under 42 U.S.C. § 1983 against defendants who are not state actors. See West v. Atkins, 487
24 U.S. 42, 48 (1988). Lastly, plaintiff has not paid the filing fee in connection with these
25 cases, as required by the January 2, 2008 order.

26 Accordingly, the above-listed cases are hereby DISMISSED, and the Clerk shall close
27 the files.

28 IT IS SO ORDERED.

DATED: 1/23/2008


29 MARTIN J. JENKINS
30 United States District Judge

31 ¹It has since become clear that the number of cases received from plaintiff is closer to
32 300.

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JONATHAN LEE RICHES,

Plaintiff,

v.

EARVIN MAGIC JOHNSON et al,

Defendant.

Case Numbers:	
C08-00061 MJJ	C08-0140 MJJ
C08-00062 MJJ	C08-0141 MJJ
C08-00063 MJJ	C08-0142 MJJ
C08-00064 MJJ	C08-0143 MJJ
C08-00065 MJJ	C08-0144 MJJ
C08-00066 MJJ	C08-0145 MJJ
C08-00067 MJJ	

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on January 23, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jonathan Lee Riches
F.C.I. Williamsburg
Prisoner Id 40948-018
P.O. Box 340
Salters, SC 29590

Dated: January 23, 2008


Richard W. Wiking, Clerk
By: Monica Narcisse, Deputy Clerk